IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 2038 of 2005

Between:

B.Madhava Rao, S/o.B.V.Rama Rao,
R/o.Door No.7.4.6, Bhimavari Street,
Baptla, Guntur District.

..... PETITIONER

AND

1 The Principal/Correspondent Andhra Christian College of Law Guntur, Guntur District.
2 The Registrar of Acharya Nagarjuna University, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more in the nature of Mandamus directing the respondents to permit the petitioner for appearing 1st year five years Law course Examinations scheduled to be held during the month of March or April, 2005, by holding the action of the respondents in not considering the petitioner's representation dated 31-12-2004 is highly illegal, arbitrary, discriminatory and violative of Article 41 of constitution of India.

Counsel for the Petitioner: MR.ABID HUSSAIN

Counsel for the Respondent No.2: MR.T.S.HARNATH (SC FOR NAGARJUNA UNIVERSITY)

The Court at the admission stage made the following:

ORDER:

Heard the learned counsel for the petitioner and the learned standing counsel appearing for the second respondent-University.

The petitioner claims that having appearing for LAWCET-2000 for five years law course and having secured state rank of 639, he joined the first respondent-college. It is also stated that he has paid the necessary admission fees of Rs.2,000/- in November, 2000. However, due to certain personal reasons, he could not continue the course. Subsequently with the permission of the first respondent-college, he has prosecuted his further studies and paid the examination fees on 29-12-2004. However, it is alleged that the respondents had not issued hall ticket so as to enable him to appear for the first year examinations. It is stated that though he made representation on 31-12-2004 requesting the respondents to permit him to appear for the examinations, no further steps have been taken by the respondents so far. Hence, this writ petition seeking a declaration that the alleged inaction on the part of the respondents is arbitrary and illegal.

The learned standing counsel submits that the application said to have been made by the petitioner on 31-12-2004 does not contain any particulars as to his admission in the first respondent-college and particularly with regard to the payment of fees said to have been

made by him, and therefore, it may not be possible to consider the representation made by him.

Having regard to the facts and circumstances of the case, especially keeping in view the submissions made by the learned standing counsel, without expressing any opinion with regard to the entitlement of the petitioner to appear for the examinations, the writ petition is disposed of granting liberty to the petitioner to make a fresh representation before the second respondent-University furnishing all the necessary particulars within a period of one week from today. If such a representation is made, the second respondent-University shall consider the same and pass appropriate orders, in accordance with law, within a period of two weeks thereafter. No costs.

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(**G.ROHINI, J**)

Date: 09-02-2005

ghn

To

1 The Principal/Correspondent Andhra Christian College of Law Guntur, Guntur District.
2 The Registrar of Acharya Nagarjuna University, Guntur District.

3 Two CD Copies